

**FINDING OF NO SIGNIFICANT IMPACT
AND DECISION RECORD
EA-NM-060-04-24**

DECISION: It is my decision to authorize the Sundry Notices And Reports On Wells, utilized as an application for an on-lease buried pipeline, to connect the Chaves "A" Federal #6 gas well to a transportation pipeline, submitted by Chesapeake Operating, Inc.. The provisions for the approval of the Sundry Notices And Reports On Wells, will include the attachment of the Roswell Field Office requirements as defined in the following exhibit; (**Exhibit A**) - The Buried Pipeline Stipulations For The Roswell Field Office, BLM, and any special mitigating measures developed in the environmental assessment.

In the event the well is abandoned, I recommend that reclamation requirements be attached to facilitate all related appurtenance; such as, pipeline, meter station, gas separator, and condensate storage tanks, and/or any other facilities that serviced the well, including additional requirements imperative for the complete reclamation of the disturbed areas. These actions are subject to 43 CFR 3160 regulations for Onshore Oil and Gas operations on federal lease NM-022584.

Authority for this action is the Mineral Leasing Act of February 25, 1920, as amended.

This action will affect public lands described as:

New Mexico Principal Meridian

**Section 21; W1/2NE1/4, T. 7 S., R. 26 E.
1980' FNL & 1980' FEL**

FINDING OF NO SIGNIFICANT IMPACT: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts resulting from the proposed actions are not expected to be significant and an environmental impact statement is not required.

RATIONALE FOR DECISION: The proposed actions would not result in any undue or unnecessary environmental degradation. Portions of the subject lands and adjacent lands have been used for similar purposes and all present and potential uses and users have been considered.

COMPLIANCE AND MONITORING: The construction phase of the proposed actions and subsequent operational phases will be monitored as per regulations.

/s/ Larry D. Bray

11/26/03

**Larry D. Bray, Assistant Field Manager,
Lands and Minerals**

Date

ENVIRONMENTAL ASSESSMENT

EA# NM-060-04-24

**WELL NAME & NO.: Chaves "A" Federal #6 – On-Lease Pipeline
BLM Serial #: NM-022584**

Section 21, T. 7 S., R. 26 E., NMPM,
1980' FNL & 1980' FEL, Unit Letter G

Chaves County, New Mexico

OPERATOR: Chesapeake Operating, Inc.

ACTION: Sundry Notices And Reports On Wells

SURFACE/MINERAL ESTATE: Federal - Minerals/Surface

I. Introduction

A. Need for the Proposed Action:

Chesapeake Operating, Inc. proposes to bury a natural gas pipeline at the location described above. The proposed action is needed to develop the mineral lease.

A-1. Proposed Action (SUNDRY NOTICE -On-lease Buried Pipeline):

Chesapeake Operating, Inc. submitted a Sundry Notice And Report On Wells that is utilized as an application for an on-lease buried pipeline on 10/10/03. Chesapeake Operating, Inc. proposes to construct, operate, and maintain, a buried 2 3/8 inch natural gas steel pipeline. The pipeline is approximately 1160 feet (0.22 mile) in length and will be laid out on the west side of the existing road. Related appurtenance would consist of a meter station, gas separator, valves, condensate storage tanks, and cathodic protection.

The proposed action would consist of connecting the Chaves "A" Federal #6 well to an existing pipeline on the Chaves "A" Federal #1 well pad.

The tie-in point of the pipeline will be in the NW¼NE¼ of Section 21, T. 7 S., R. 26 E..

B. Conformance with Land Use Plan:

Oil and gas lease development is in conformance with the Roswell Approved Resource Management Plan and Record of Decision, October 1997.

A Sundry Notices And Reports On Wells was utilized as an application for an on-lease buried pipeline proposed action and the proposal is also in conformance with RFO-RMP.

C. Relationship to Statutes, Regulations, or other Plans:

The proposed action does not conflict with any known State or local planning, ordinance or zoning.

II. Proposed Action and Alternatives

A. Proposed Action:

The proposed action would include:

- a. **Sundry Notices and Reports on Wells**; was utilized for the on-lease buried pipeline proposal and for the related appurtenance. The pipeline construction would include; burying the pipeline, constructing a trench within a maximum disturbance limit of 20 feet, and digging a trench approximately 36 inches deep for the purpose of burying the pipeline. The pipeline would be buried 36 inches deep within the pipeline route and 48 inches deep under all road crossings. A trencher is a ditch digging machine that would be used to construct the pipeline trench.
- b. The proposed buried pipeline's tie-in point is onto an existing pipeline. The pipeline would be confined within the parameters of the archaeological survey that was done on the existing road corridor until it reaches the tie-in point.

B. Alternatives:

1. Relocate the Proposed Action:

The pipeline corridor is determined on the basis of; surface soils, terrain, topography, and to some extent, by the logical layout of the pipeline specifications, and in some instances by adverse field operation situations. The on-lease pipeline route is consistent with the RFO-BLM policy of utilizing an approved corridor(s) that would be acceptable for pipeline construction, such as; new and/or existing road routes, two-track roads, and other previously disturbed pipeline routes, etc.. The pipeline corridor would follow the existing access road route until it reaches the tie-in point. There are no alternate routes which would have substantially less impacts than or any clear advantages over the proposed action. No other alternative pipeline corridor would have significantly fewer impacts than, or have a clear advantage over, the proposed pipeline corridor, therefore, relocating the pipeline corridor is not analyzed any further.

2. No Action:

Under this alternative, the proposal to construct an on-lease pipeline, submitted under the Sundry Notice And Reports On Wells would be rejected. None of the environmental impacts associated with the proposed action would occur. Additionally, economic benefits of the proposed action would not be realized, and the existing environment, including the developments in place, would remain unchanged.

III. Description of the Affected Environment

A. General Setting:

The proposed federal action is located on federal minerals and surface, about 18 miles northeast of Roswell, N.M.. Historical and present use of the subject lands have been limited to livestock grazing and energy development.

B. Rights of Record:

An inspection of the Master Title Plats and other Bureau records revealed the following title information pertaining to valid existing prior rights on the subject lands:

- Oil and gas leases: NM-022584 - covers lease actions.
- No federally administered rights-of-way would be affected in the project area.
- No mining claims are recorded within Sec. 21, T. 7 S., R. 26 E., NMPM.

C. Affected Resources:

The following critical resources have been evaluated and are either not present or are not affected by the proposed action or the alternatives in this EA:

Areas of Critical Environmental Concern (ACEC's)
Cultural Resources (03-R-030-A & B)
Farmlands, Prime/Unique
Floodplains
Native American Religious Concerns
Wastes, Hazardous/Solid
Threatened and Endangered Species
Wetlands and Riparian Zones
Wild & Scenic Rivers
Wilderness

1. Air Quality:

The area of the proposed action is considered a Class II air quality area. A Class II area allows moderate amounts air quality degradation. The primary sources of air pollution are dust from blowing wind on disturbed or exposed soils and exhaust emissions from motorized equipment.

2. Soils:

The ***Soil Survey of Chaves County, New Mexico, Northern Part (USDA Soil Conservation Service 1980)*** was used to describe and analyze impacts to soils from the proposed action. The soil map units represented in the project area are:

Hollomex-Reeves-Milner, dry loams, 0 to 3 percent slopes (HMA) Permeability of the Hollomex soil is moderate. Runoff of the Hollomex soil is medium and the hazard of water erosion is moderate and the hazard of soil blowing is high. Permeability of the Simona soil moderate. Runoff of the Simona soil is medium and the hazard of water erosion is medium and soil blowing is high.

3. Vegetation: GRASSLAND COMMUNITY

This lease is within the grassland vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Appendix 11 of the Draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community. The distinguishing feature for the grassland community is that grass species typically comprises 75% or more of the potential plant community. Short-grass, mid-grass, and tall-grass species may be found within

this community. The community also includes shrub, half-shrub, and forb species. The percentages of grasses, forbs, and shrubs actually found at a particular location will vary with recent weather factors and past resource uses.

The Ecological Site Description for the proposed buried pipeline is Loamy SD-3

4. Invasive & Noxious Weeds:

There are known populations of invasive or noxious weed species, salt cedar (*Tamarix* spp.) on the proposed pipeline corridor.

Infestations of noxious weeds can have a disastrous impact on biodiversity and natural ecosystems. Noxious weeds affect native plant species by out-competing native vegetation for light, water and soil nutrients. Noxious weeds cause estimated losses to producers \$2 to \$3 billion annually. These losses are attributed to: (1) Decreased quality of agricultural products due to high levels of competition from noxious weeds; (2) decreased quantity of agricultural products due to noxious weed infestations; and (3) costs to control and/or prevent the noxious weeds.

Further, noxious weeds can negatively affect livestock and dairy producers by making forage either unpalatable or toxic to livestock, thus decreasing livestock productivity and potentially increasing producers = feed costs and animal health care costs. Increased costs to operators are eventually borne by consumers.

Noxious weeds also affect recreational uses, and reduces realty values of both the directly influenced properties and adjacent properties.

Recent federal legislation has been enacted requiring state and county agencies to implement noxious weed control programs. Monies would be made available for these activities from the federal government, generated from the federal tax base. Therefore, all citizens and tax payers of the United States are directly affected when noxious weed control prevention is not exercised.

5. Ground Water Quality :

Fresh water for irrigation and stock use is obtained from the Quaternary Alluvium and the Artesia Group. Known depths to water range from 7' to approximately 250'. Additionally, the well location is near the fresh/saline water interface of the San Andres Formation and because of this there is a possibility of fresh water down to a depth range of 700' to 900'.

6. Wildlife:

Wildlife species utilizing this area for habitat include mule deer, pronghorn antelope, coyote, fox, rabbits, kangaroo rats, pocket gophers, herptile species, as well as a variety of songbirds, dove, quail, and raptors.

There are no known threatened or endangered species of plant or animals within the project area. The list of federal threatened, endangered and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP11-2).

7. Range: The buried pipeline is located on a BLM grazing allotment #65023, West White Ranch, permitted to Clint Lynch, HCR 31 Box 1328, Roswell, NM 88201, base property is leased from Mr. Carl Madison

8. Visual Resources:

The proposed action is located in a scenic area along the Pecos River corridor designated VRM Class III. The setting is a winter gray color pattern and, with foliage in warm months, gray to gray-green.

9. Recreation:

The area around the proposed action site is primarily used by recreational visitors engaged in hunting and off-highway vehicle use. Non-recreation visitors include oil and gas industrial workers and ranchers.

10. Cave/Karst:

The proposed action is located in the *High Potential Karst Area*.

11. Minority or Low-income Populations or Communities:

The proposed actions would not affect the minority or low-income populations or communities.

IV. ENVIRONMENTAL IMPACTS

A. Proposed Action Impacts:

The surface disturbance involved in the construction of the buried pipeline would total about 0.53 acres of federal surface.

1. Air Quality:

Air quality would temporary be impacted with pollution from exhaust emissions, chemical odors, and dust that would be caused by the motorized equipment used to construct the buried pipeline. Dust dissemination would discontinue upon completion of the construction of the buried pipeline. The winds that frequent the southeastern part of New Mexico generally disperse the odors and emissions. The impacts to air quality would be greatly reduced as the construction is completed.

2. Soils:

The construction of the buried pipeline would physically disturb about 0.53 acres of topsoil and would expose the substratum soils. The exposed soils would be susceptible to wind blowing and water erosion. The impact to the soils would be remedied upon reclamation of the pipeline disturbance and vegetation re-establishes.

Additional soil impacts associated with lease development would occur when heavy precipitation causes water erosion damage. Pipeline constructions requirements would alleviate potential impacts from water erosion damage to the soils within the pipeline corridor.

3. Vegetation:

The construction of the buried pipeline would remove about 0.53 acres of native vegetation. Native vegetation would encroach on the pipeline corridor disturbed areas and would enhance the revegetation of the disturbed areas. Vegetation impacts would be short-term when the pipeline corridor re-vegetates

within a few years, however, full reclamation within the pipeline corridor would depend on the life of the well and would not commence until the well is a depleted producer and plugged and abandoned.

4. Invasive & Noxious Weeds:

The construction of the buried pipeline may unintentionally contribute to the establishment and spread of noxious weeds. Noxious weed seeds could be carried onto the project areas by construction equipment, and transport vehicles. The main mechanism for seed dispersion on the pipeline corridors is by equipment and vehicles that were previously used and or driven across or through noxious weed infested areas. The potential for the dissemination of invasive and noxious weed seeds may be elevated by the use of construction equipment typically contracted out to companies that may be from other geographic areas in the region. Washing and decontaminating the equipment prior to transporting the equipment onto the construction areas would minimize this impact.

Impacts by noxious weeds will be minimized due to requirements for the company to eradicate the weeds upon discovery. Multiple applications may be required to effectively control the identified populations.

5. Ground Water Quality:

Spills in the event of a rupture of the pipeline could result in contamination of the soils and may potentially impact groundwater resources in the long term. However, proper pipeline construction would reduce or eliminate the potential for groundwater contamination from pipeline ruptures.

6. Wildlife:

Some small wildlife species may be killed and their dens or nests destroyed during construction of the buried pipeline. The construction of the buried pipeline could cause fragmentation of wildlife habitat. The short-term negative impact to wildlife would occur during the construction phase of the operation due to noise and habitat destruction. In general, most wildlife species would become habituated to the new facilities. For other wildlife species with a low tolerance to activities, the maintenance operations on the buried pipeline would continue to displace wildlife from the area due to ongoing disturbances such as vehicle traffic on the pipeline corridor. The conditions of approval would alleviate most losses of wildlife species, such as; burying the pipeline and timing stipulations. Upon abandonment of the well, the area would revegetate and wildlife would return to previous levels.

7. Range:

There would be some minor disruption of livestock grazing in the pasture, specifically on the pipeline corridor, during the construction of the buried pipeline. Vehicle traffic would temporarily increase in the area, which may lead to conflicts with livestock.

8. Visual Resources:

Facilities, such as condensate and produced water or oil storage tanks that rise above eight feet, would provide geometrically strong vertical and horizontal visual contrasts in form and line to the characteristic landscape and vegetation, which are flat and horizontal to slightly rolling in form and line. The construction of an access road, well pad and other ancillary facilities, other than facilities greater in height than eight feet, would slightly modify the existing area visual resources.

The VRM Class III objective is to: Partially retain existing landscape character. The level of change to

the characteristic landscape should be moderate. Management activities may attract attention but should not dominate a casual observer's view. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

Under visual resource Class III, the method for repeating the basic elements would be to remove strong vertical and horizontal contrast through use of low-profile facilities as reflected in the Roswell RMP (1997, p. AP1-4). Depending on the production nature of the well site, multiple low-profile condensate and/or oil or produced water tanks would be necessary to accommodate the project.

Through color manipulation, by painting well facilities to blend with the rolling to flat vegetative and/or landform setting with a gray-green to brownish color, the view is expected to favorably blend with the form, line, color and texture of the existing landscape. The flat color ***Slate Gray*** from the standard environmental colors also closely approximates the setting color pattern. All facilities, including the meter building, would be painted this color.

To further implement visual goals of a Class III setting, the well pad and pits would be designed to reduce vegetative and soil disturbance with the pits either dug provided as steel pits, black, gray or brush brown in color. The access road, well pad, pit(s) and berm(s) would be similar to the texture and horizontal line found throughout the setting. This strategy would be generally acceptable to the various visitors and workers in this setting.

Cumulative adverse visual impacts can be avoided by gradually moving into a more appropriate vegetative/landform setting color scheme. Facilities with low-profile horizontal line and form would facilitate favorable blending as older facilities go out of production and are removed.

9. Recreation:

Oil and gas activities would have little or no affect on recreational opportunities within this area. Large blocks of pubic land would allow recreationists to use pubic land and avoid the oil and gas facilities within the area.

10. Cave/Karst:

There should be no adverse impact to karst features within the proposed action area.

11. Minority or Low-income Populations or Communities:

The proposed actions would not impact the minority or low-income populations or communities.

B. Alternatives:

1. Relocation Alternative:

The alternative of changing the pipeline corridor involved in this action was not analyzed further because no other alternative pipeline corridor would have significantly fewer impacts than, or have a clear advantage over, the proposed pipeline corridor.

2. No Action Alternative:

The no action alternative would constitute denial of the application. This alternative would have no consequential results from the identified environmental impacts. There would, however, be an adverse economic impact to the applicant through the denial of the lessee's right to develop the mineral reserves or through increased costs of accessing those mineral reserves through other means. There have been no significant or unmitigatable impacts identified as a result of this analysis, which would warrant selection of the no action alternative.

C. Mitigation:

The Roswell Field Office; The Buried Pipeline Stipulations For The Roswell Field Office, BLM, (Exhibit A), and the special requirements derived from this EA, would be applied to this proposed action to minimize the surface disturbance and conserve the surrounding landscape.

D. Cumulative Impacts:

While it is likely that there will be no significant cumulative impact from the proposed action, continued oil and gas development, and other surface-disturbing activities in this area, may potentially have negative cumulative impacts on vegetation, soil, water, livestock, wildlife, and visual resources.

V. Consultation and Coordination

During the onsite on the well pad and access road an inspection was also conducted on the buried pipeline corridor on 3/26/03. In attendance were Leonard Barrera, Agent for Chesapeake, Inc., Mr. Carl Madison, Private Surface Landowner Rancher and Richard Hill, Environmental Protection Specialist, BLM Roswell Field Office. Coordination and consultation has occurred with the applicant's agent. The comments and suggestions expressed during the onsite consultation have been incorporated into this EA.

Coordination and consultation has occurred with Roswell Field Office's Staff. The comments and suggestions expressed during the review of the proposed action and environmental assessment have been incorporated into this EA. Roswell Field Office's Staff at on-site; Steve Wells, PE./SO, Joseph Navarro, and Dan Baggao.

Reviewed by:

Irene M. Gonzales
Irene Gonzales, Realty Specialist

10-21-03
Date

EXHIBIT A

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ROSWELL FIELD OFFICE -BLM
BLM Serial Number: NM-022584
Company Name: Chesapeake Operating, Inc.
Well Name and Number: Chaves "A" Federal #6

BURIED PIPELINE STIPULATIONS FOR THE ROSWELL FIELD OFFICE, BLM.

A. THE APD AND/OR THE SUNDRY NOTICE WAS USED FOR THE ON-LEASE BURIED PIPELINE CONSTRUCTION.

1. The APD and/or Sundry Notice And Report On Wells can act, to the extent possible, as an application for the on-lease construction of the buried pipeline on Federal surface lands. In combination with the approved APD, the following standard terms and conditions are hereby attached to the APD/SN on-lease authorization.

B. The holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer, BLM.

1. The BLM shall administer compliance and monitor construction of the pipeline. Notify **Richard G. Hill** at least **3** working days (72 Hours) prior to commencing construction of the pipeline. Roswell Field Office number **(505) 627-0247**.

2. PIPELINE CONSTRUCTION:

A.) The entire length (1160 feet) of pipeline shall be buried in a trench 36 inches deep and 46 inches deep under all existing access roads.

B.) The 2 3/8 inch steel pipeline shall be buried within the maximum surface disturbance width not to exceed 20 feet

C.) The pipeline centerline shall be constructed 25 feet from the centerline of the existing road designated corridor and on the west side of the road.

D.) The holder shall consult with the Authorized Officer if the depth cannot be accomplished due to rock outcropping, or if the soils are not deep enough.

E.) The operations shall be contained within the perimeters of the archaeological surveyed areas.

3. The holder shall conduct all activities associated with the construction, operation, and removal of the pipeline within the authorized limits of the pipeline corridor, **not to exceed 20 feet**. The holder shall consult with the Authorized Officer prior to utilizing more surface than the allowable limits of the pipeline corridor or for approval of any changes that are made to the pipeline route.
4. Clearing and/or blading of all vegetation shall be allowed. Clearing is defined as the removal of brush while leaving ground vegetation (grasses, weeds, *etc.*) intact. Clearing is best accomplished by holding the blade 4 to 6 inches above the ground surface to reap the vegetation. Blading is defined as the complete removal of brush and ground vegetation. **Where blading and/or clearing is allowed, the maximum surface disturbance width of these operations shall not exceed 20 feet.**
5. **The pipeline shall be buried under all roads. The holder shall bury the pipeline 48 inches deep and 30 feet across all road crossings.** The pipeline shall be buried 48 inches deep in order for the buried pipeline to be covered with a layer of soil 45 inches in depth between the top of the pipeline and the road surface level. The width of maximum disturbance on all roads is **30 feet** and in order to secure that the buried pipeline is protected from maintenance and/or renovation work on the roads, the holder is required to start and end construction of the buried pipeline outside the perimeters of the road width maximum disturbance width. The holder shall consult with the Authorized Officer if the depth cannot be accomplished due to rock outcropping, or if the soils are not deep enough.
6. The approval of this APD/SN for pipeline construction does not in any way imply or approve any other on-lease, off-lease, or off-unit action(s). It is the responsibility of the holder to obtain other approval(s) such as rights-of-way from the Roswell Field Office or other agencies, including private surface landowner(s).
7. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this authorization.
8. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, *et. seq.*) with regard to any toxic substances that are used, generated by, or stored on the pipeline corridor. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, *etc.*) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.
9. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et. seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et. seq.*) on the pipeline corridor (unless the release or threatened release is wholly unrelated to the holder's activity on the pipeline corridor). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

10. If, during any phase of the construction, operation, maintenance, or termination of the pipeline, any gas, or other pollutant should be discharged, impacting Federal lands, the control and total removal, disposal, and cleaning up of such pollutants, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, dispose of, or clean up such discharge on, or affecting Federal lands, or to repair all damages to Federal lands resulting therefrom, the Authorized Officer may take such measures as deemed necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve the holder of any liability or responsibility.

11. The holder shall minimize disturbance to existing fences and other improvements or facilities on public lands. When necessary to pass through a fence line, the fence will be braced on both sides of the passageway prior to cutting of the fence. No permanent gates will be allowed unless approved by the Authorized Officer. The holder is required to promptly repair impacted improvements or facilities to at least their former state. The holder shall contact the owner(s) of any improvements or facilities prior to disturbing them.

12. Vegetation, soil, and rocks left as a result of the pipeline construction, or maintenance activity will be randomly scattered over the project area and will not be left in rows, piles, or berms, unless otherwise approved by the Authorized Officer. An earthen berm is approved to be left over the ditch line to allow for the trench settling back to grade.

13. In those areas where erosion control structures are required to stabilize soil conditions, the holder shall install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound management practices. Any earth work not specifically granted by this authorization shall require prior approval by the Authorized Officer.

14. The holder shall seed all surface disturbed by the pipeline construction activities. Seeding is required on the disturbed areas and the seed mixture was determined by the Roswell Field Office for the Desired Plant Community on this pipeline project.

A. Desired Plant Community seed mixture to be planted in pounds of pure live seed per acre:

Common Name and Preferred Variety	Scientific Name	Pounds of Pure Live Seed Per Acre
Blue grama, var. Lovington	<i>Bouteloua gracilis</i>	4.00 lbs.
Sideoats grama, var. Vaughn or El Reno	<i>Bouteloua curtipendula</i>	1.00 lb.
Sand dropseed	<i>Sporobolus cryptandrus</i>	0.50 lb.
Vine mesquite	<i>Panicum obtusum</i>	1.00 lb.
Plains bristleglass	<i>Setaria macrostachya</i>	1.00 lb.
Indian blanketflower	<i>Gaillardia aristata</i>	0.50 lb.
Desert or Scarlet Globemallow	<i>Sphaeralcea ambigua</i> or <i>S. coccinea</i>	<u>1.00 lb.</u>
TOTAL POUNDS PURE LIVE SEED PER ACRE		9.00 lbs.

If one species is not available, increase ALL others proportionately. Certified Weed Free Seed. A minimum of 4 species is required, including 1 forb species.

B. The recommended time to seed is from June 15th through September 15th. The optimum seeding time is in mid-July. Successive seeding should be done either late in the fall (Sept. 15th - Nov. 15th, before freeze up) or early as possible the following spring to take advantage of available ground moisture. However, the holder may seed immediately after completing the surface disturbing activities.

C. The holder shall be responsible for the establishment of vegetation on the pipeline route. Evaluation of vegetation growth will not be made before the completion of the first growing season after seeding. The Authorized Officer reserves the right to require reseeding at a specific time if seed does not germinate after one growing season. Waiver of this requirement would be considered if diligent attempts to revegetate the disturbed areas have failed and the Authorized Officer determines that further attempts to replant the disturbed area is futile.

15. All above-ground structures (e.g.: meter houses, tanks, above ground pipelines, and related appurtenance, etc.) not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for painting all the well facilities is Slate Gray, Munsell Soil Color Chart Number 5Y 6/1

16. The holder shall post signs designating a pipeline crossing at the following locations: the points of origin and completion, or entry to and exit from public lands, at all road crossings. These signs shall be posted in a permanent, conspicuous manner, and shall be maintained in a legible condition until the pipeline no longer services the well and is removed.

17. The holder shall not use the pipeline corridor as a road except during periodic routine maintenance work as determined necessary by the Authorized Officer. The pipeline corridor shall not be used for any other purposes than for what it was hereby approved. The holder shall consult with the Authorized Officer if the disturbed areas are used for other reasons than for maintenance purposes. The holder shall take whatever steps are necessary to ensure that the pipeline corridor is not used as a roadway.

18. Any cultural and/or paleontological resource (i.e.: historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on Federal land shall be immediately reported to the Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions that shall be taken to prevent the loss of significant cultural or scientific values. The holder shall be responsible for the cost of evaluation of any cultural and/or paleontological resources that are discovered. Any decision as to the proper mitigation measures shall be made by the Authorized Officer after consultation with the holder.

19. The holder is hereby obligated to comply with procedures established in the Native American Graves Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of project implementation. In the event that any of the cultural items listed above are discovered during the course of the project work, the holder shall immediately halt the disturbance and contact the

BLM within 24 hours for instructions. The holder or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and disposing of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes. Any unauthorized collection or disturbance of cultural resources may result in a shutdown order by the Authorized Officer.

20. Special Stipulations:

A. Precautionary measures shall be taken by the holder during construction of the pipeline to protect the existing major **gas** pipeline that new pipeline will cross under (**See map - EXHIBIT A**). The holder shall be held responsible for any damage to the existing major **gas** pipeline. If the existing **gas** pipeline is ruptured and/or damaged, the holder shall immediately cease maintenance operations and repair the pipeline. The holder shall be held liable for any unsafe construction and/or maintenance operations that threaten human life and/or cause the destruction of equipment.

B. Cave Requirements:

1. If, during any construction activities any sinkholes or cave openings are discovered, all construction activities shall immediately cease. Contact **Larry Bray** at **(505) 627-0250**.

2. The BLM Authorized Officer will, within 24 hours of notification, conduct an on-the-ground field inspection for karst. At the field inspection the authorized field inspector shall authorize or suggest mitigating measures to lessen the damage to the karst environment. A verbal order to proceed or stop the operation shall be issued at that time.

C. Noxious and Invasive Species:

1. The holder shall be held responsible if noxious weeds become established within the area. Evaluation of growth of the noxious weeds shall be made upon discovery. Weed control will be required on the disturbed lands resulting from this actions, which include the roads, pads and associated pipelines and on adjacent lands affected by the establishment of weeds due to this action.

2. The holder shall insure that the equipment and or vehicles that will be used to construct, maintain and administer the access roads, well pad, and resulting well are not polluted with invasive and noxious weed seeds. Transporting of invasive and noxious weed seeds could occur if the equipment and vehicles were previously used in noxious weed infested areas. In order to prevent the spread of noxious weeds, the Authorized Officer shall require that the equipment and vehicles be cleaned with either high pressure water or air prior to construction, maintenance and administration of the access roads, well pad, and resulting well.